

REMARKS

This application has been reviewed in light of the Office Action dated June 2, 2003. Claims 1-18 and 36-88 are presented for examination, of which claims 1, 17, 18, 36, 52-54, 71, 87, and 88 are independent. Claims 1, 36, 52-54, and 71 have been amended to define still more clearly what Applicants regard as their invention, in terms that distinguish over the art of record, and claims 2-4, 6-18, 37-51, 55-70, and 72-86 have been amended as to matters of form. Favorable reconsideration is requested.

Claims 17, 18, 52, 53, 87, and 88 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,751,965 (*Mayo et al.*). Claims 1-4, 6, 7, 9-12, 15, 19-22, 24, 25, 27-30, 32, 36-39, 41, 42, 45-47, 49, 54-57, 59, 60, 62-65, 67, 71-74, 76, 77, 80-82, and 84 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Mayo et al.* in view of U.S. Patent 5,317,693 (*Cuenod et al.*), claims 5, 23, 40, 58, and 75 were rejected under Section 103(a) as being unpatentable over *Mayo et al.* and *Cuenod et al.*, and further in view of U.S. Patent 5,261,044 (*Dev et al.*) which *Mayo et al.* incorporates by reference, claims 8, 26, 43, 61, and 78 were rejected under Section 103(a) as being unpatentable over *Mayo et al.* and *Cuenod et al.*, and further in view of U.S. Patent 5,935,262 (*Barrett et al.*), claims 13, 33, 50, 68, and 86 were rejected under Section 103(a) as being unpatentable over *Mayo et al.* and *Cuenod et al.*, and further in view of U.S. Patent 5,109,486 (*Seymour*), claims 14, 31, 48, 66, and 83 were rejected under Section 103(a) as being unpatentable over *Mayo et al.* and *Cuenod et al.* and further in view of U.S. Patent 5,987,535 (*Knodt et al.*), claims 35 and 70 were rejected under Section 103(a) as being unpatentable over *Mayo et al.* and *Cuenod et al.*, and further in view of *Knodt et al.*, claims 16, 34, 51, 69, and 86 were rejected under Section 103(a) as being unpatentable over *Mayo*

et al. and *Cuenod et al.*, and further in view of "Windows 95 Troubleshooting: Device Manager Error Codes" by InfiniSource (*Troubleshooting*).¹

Initially, Applicants again note the reference in the Response to Arguments section of the Office Action, to "claims drawn to a process of making". Applicants, herein, reiterate their previous arguments, with regard to this issue, submitted in the Amendment After Final Rejection And Petition For Extension Of Time, dated April 2, 2003. To the extent that that statement reflects belief that any of the pending claims are directed to a process of making, Applicants respectfully disagree. The pending claims include apparatus, method of display, and storage medium claims. None of the method claims are to methods of making. Similarly, the storage medium claims are media storing computer programs that comprise code for methods of use, not of making. Applicants do agree that claims directed to apparatus must be distinguishable from the prior art by structure, and that even if a prior art device performs all the functions recited in a claim, the prior art cannot anticipate the claim unless it also discloses all the structure recited in the claim. M.P.E.P. § 2114. Even if *Mayo et al.* and *Cuenod et al.* be deemed to disclose the intended use of the apparatus claimed in the present application, those patents do not teach the structures recited by Applicants, as follows.

The aspect of the present invention set forth in claim 1 is an information processing apparatus connected to a network. The apparatus comprises a communicating unit, a first, a second, and a third acquiring unit, and a display unit that communicates information with each of a number of terminal devices on the network. The first acquiring

¹As discussed in the telephone interview conducted on July 7, 2003, Applicants understand claims 44 and 79 to stand rejected on the same grounds as claim 9, and that the purported rejections of claims 19-35 can be ignored since these claims have been previously canceled.

unit performs an acquisition function to acquire first information, related to the terminal device connected to the network, through the communicating unit. The second acquiring unit performs an acquisition function to acquire second information, related to a peripheral device which is locally connected (and not connected through the network) to the terminal device to which the first information pertains while the third acquiring unit also performs an acquisition function to acquire a status of the peripheral device to which the second information pertains. The display unit distinguishably displays information of the terminal device connected to the network, information of the peripheral device connected to the terminal device, and a status thereof based upon the first information, acquired by the first acquiring unit, the second information, acquired by the second acquiring unit, and the status, acquired by the third acquiring unit.

One important feature of claim 1 is acquiring information related to a peripheral device which is locally connected, the status of the peripheral device, and information related to a terminal device connected to the peripheral device, and then to distinguishably display the information related to the peripheral device, the status of the peripheral device, and the information related to the terminal device.

Mayo et al. relates to a method and apparatus for monitoring and displaying the status of connections or other relationships in a computer network. *Mayo et al.* provides graphical representations of connections or other relationships among entities that make up a communications network. That is, the *Mayo et al.* system observes (monitors) devices connected through a network. In other words, the targets to be observed in *Mayo et al.* are devices that are all connected through the network. Nothing has been found in *Mayo et al.* that would teach or suggest an acquiring unit structured to be able to acquire

information relating to a peripheral device locally connected, not through a network, where information relating to such peripheral device is acquired through a network, as recited in claim 1. Still less does that patent teach an acquiring unit, as recited claim 1, capable of performing such an acquisition function, nor does the patent teach a first acquiring unit acquiring first information, related to the terminal device connected to the network, through the communicating unit, a third acquiring unit acquiring a status of the peripheral device, and a display unit distinguishably displaying information of the terminal device connected to the network, information of the peripheral device connected to the terminal device, and a status thereof based upon the first information, acquired by the first acquiring unit, the second information, acquired by the second acquiring unit, and the status, acquired by the third acquiring unit, as recited in claim 1.

For at least these reasons, independent claim 1 is believed clearly patentable over *Mayo et al.*, taken alone.

The Office Action cites *Cuenod et al.* as overcoming the deficiencies of *Mayo et al.* *Cuenod et al.* relates to a local area network for transferring data between a host computer and a multiplicity of low-speed input/output peripheral devices, such as keyboard, mouse, track ball, tablet, joystick, modem and other devices. In the *Cuenod et al.* system, each peripheral device 110 has its own interface 140 which couples the peripheral device 110 to the host computer 102 via a "desktop" communications network 150. The network 150 comprises a set of daisy chain connections 104, 152, 154, 156, the host computer 130, and the interfaces for each peripheral device 110. That is, *Cuenod et al.* has each peripheral device connected through a network interface 140. In contrast, the apparatus as recited in claim 1 receives information relating to the peripheral device (which

is locally connected to the terminal device) through the network. Accordingly, nothing has been found in *Cuenod et al.* that would teach or suggest first acquiring unit acquiring first information, related to the terminal device connected to the network, through the communicating unit, second acquiring unit acquiring second information, related to a peripheral device which is locally connected to the terminal device to which the first information pertains while the third acquiring unit also performs an acquisition function to acquire a status of the peripheral device to which the second information pertains, and a display unit distinguishably displaying information of the terminal device connected to the network, information of the peripheral device connected to the terminal device, and a status thereof based upon the first information, acquired by the first acquiring unit, the second information, acquired by the second acquiring unit, and the status, acquired by the third acquiring unit, as recited in claim 1.

Applicants submit that claim 1 is clearly patentable over *Mayo et al.* and *Cuenod et al.*, taken separately or in any proper combination.

Independent claims 36 and 71 are method and storage medium claims, respectively corresponding to apparatus claim 1, and are believed to be patentable for at least the same reasons as discussed above in connection with claim 1. Additionally, independent claim 54 includes similar features as those discussed above in connection with claim 1. Accordingly, claim 54 is believed to be patentable for reasons substantially similar to those discussed above in connection with claim 1.

The aspect of the present invention set forth in claim 17 is an information processing apparatus connected to a network. The apparatus includes a first saving unit, arranged to save a first information of the own device on the network, a connector,

arranged to locally connect, not through the network, a peripheral device thereto, and a second saving unit, arranged to save a second information of the peripheral device connected by the connector. The apparatus further includes a detecting unit, arranged to detect a condition of the peripheral device connected by the connector, and a transmitting unit, arranged to transmit the first information saved in the first saving unit, the second information saved in the second saving unit, and the condition detected by the detecting unit to another device in response to a request issued from the another device.

One important feature of claim 17 is a first saving unit which saves information of the own device (information processing apparatus), a connector which locally connects, not through the network, a peripheral device, and transmitting information of the own device, information of the peripheral device, and the status of the peripheral device to another device on the network.

As discussed above, in connection with claim 1, *Mayo et al.* the targets to be observed are all devices connected through a network. As such, nothing has been found in *Mayo et al.* that would teach or suggest a connector which locally connects, not through the network, a peripheral device, and that information related to the peripheral device and the status thereof are transmitted.

Accordingly, Applicants submit that claim 17 is clearly allowable over *Mayo et al.*

Cuenod et al. is not seen to overcome the deficiencies of *Mayo et al.*, for the reasons discussed above in connection with claim 1.

Independent claims 52 and 87 are method and storage medium claims, respectively corresponding to apparatus claim 17, and are believed to be patentable for at


least the same reasons as discussed above in connection with claim 17. Additionally, independent claims 18, 53, and 88 include similar features as those discussed above in connection with claim 17. Accordingly, claims 18, 53, and 88 are believed to be patentable for reasons substantially similar to those discussed above in connection with claim 17.

The other rejected claims in this application depend from one or another of the independent claims discussed above, and, therefore, are submitted to be patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, individual reconsideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,


Attorney for Applicants

Registration No. 29,296

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

NY-MAIN 372908 v1